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*Amendment of Claims and Remarks  
Patent Application 09/714,789  
Inventor: Gary Robinson*

## Remarks

Applicant presents herewith a Request for Continued Examination and requests that the claims presented in the attached Listing of Claims be examined. Applicant submits that the amendments to the claim are supported by the disclosure as filed and does not introduce objectionable new matter.

Applicant presents herewith an amendment to the specification to fix a typo by correcting "there" to read "their". Applicant also calls the Examiner's attention to amendments to the specification submitted as pages 2 and 3 of Response 01 filed September 29, 2004.

Applicant submits the following remarks in response to the Examiner's Action of December 22, 2004.

On rereading the Action, Applicant has come to understand the Examiner's position about how the original claim wording was open to being interpreted as having the system disclosed by Shardenand (reference U, Social Information Filtering for Music Recommendations, 1994) as an embodiment. If one considers a "cluster" to be equivalent to a collection of songs rated by a single particular user in Shardenand, then the Examiner's position would be valid.

However, in Shardenand, clusters in the sense mentioned in the previous paragraph are modified only with the participation of a single user, for the benefit of that single user. They are not visible to other users, provide no benefits beyond recommendations, and they are not modifiable by other users. There is no suggestion in Shardenand that clusters would serve any useful purpose in being presented to communities rather singly than individuals.

In contrast, the present invention enables clusters to serve communities of people with similar interests. It is submitted that the present claims recite methods which generate this advantage.

Applicant presents claims that recite methods which, it is submitted, are distinguished from the Shardenand teachings. The intent and focus of claim 6 and its dependent claims is on a method where the overall clusterings (groupings) of works are modified either by software or a plurality of people (a community), or both, such that a plurality of people benefit from the new groupings. When a community is making the changes to a cluster, the changes benefit a community of people interested in the tastes represented by that cluster; when software causes the modifications, with or without additional human interaction, the result again is for the benefit of a community.

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## CONCLUSION

The Examiner is invited to review the present claims and pass the case to allowance. In the event that there are any questions or the Examiner wishes to suggest any changes, please phone the undersigned attorney of record.

Respectfully submitted,



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